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MEMORANDUM FOR THE RECORD

SUBJECT: Studies Under Senate Resolution 115

1. At the request of Mr. Edward McCabe of the White House staff, I met with a group of the departmental and agency representatives on 9 September 1959 to discuss Senate Resolution 115. The members present were those listed in the attached letter to Senator Jackson from Mr. McCabe dated 26 August 1959 with the following changes and additions: Henry Roemer McPhee actually chaired the meeting in Mr. McCabe's absence; and Walter Yeagley, the Assistant Attorney General in charge of the Internal Security Division, was there in lieu of John R. Sheneman. Also present was Robert Johnson of the National Security Council staff. The above-mentioned letter to Senator Jackson was the result of discussion which Mr. McCabe had with the Senator and followed the discussion of this subject at the Planning Board meeting of 14 August 1959.

2. Mr. McPhee said the purpose of this meeting, among others, was for the individual points of contact to meet and see one another and discuss the developments to date. McPhee indicated that it was very probable that Senator Mundt would name Ned Pendleton, currently practising in Washington, as Minority Counsel. Again there was considerable round-the-table discussion of what was substance and what was procedure. It was pointed out that in the proposed guide lines that a distinction was made between substance as it pertained to the National Security Council and its subordinate machinery and the operating departments. The question was again raised as to what answers should be given when asked for personal views as to the adequacy of the machinery. It was agreed that the individuals could not be instructed not to answer this question; however, they could be reminded that if they are on the fringes

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they might not be in the best position to pass judgment and should give this consideration in making any response. Mr. Gallagher of OCDM stated he had received a 5-point approach of the Subcommittee staff which was as follows:

- a. the role of the Secretary of State in policy formulation;
- b. the political and psychological impact of technical developments in the weapons field;
- c. how and where were new ideas put into the policy-making machinery;
- d. career management including training and utilization of senior Government personnel with the thought of possible exchange between agencies of career executives;
- e. impact of budgetary considerations on policy making.

I made the suggestion that it would be of considerable help to those individuals who are to be interviewed by Senator Jackson or the Subcommittee staff for them to review the two speeches by Jackson on this subject - one at the National War College on 16 April 1959 and the other before the American Society of International Law on 2 May 1959. Most of the individuals had not heard of these speeches and copies are being made available to Robert Johnson of the NSC staff for forwarding to those present.

3. Mr. McPhee stated it was his view that sooner or later the Subcommittee staff and Senator Jackson would begin making life difficult for the Executive Branch by attempting to get into areas that were privileged.

4. Oliver Gale of DOD indicated that on a number of occasions they had handled questions from the staff by using hypothetical answers and that these had been well received. In fact, at least two members of the staff with prior knowledge of the Security Council procedures indicated that certainly there had been many changes for the better and that the number of recommendations they had originally had in mind had markedly decreased.

5. There was some discussion of the desirability of forwarding memoranda of discussions of various agency representatives to Mr. McCabe. I put in that I had discussed this point previously with McCabe and he was

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rather against it, partially because of the volume which would be involved; therefore, it was agreed this would not be done and the meeting closed with the suggestion that the same group should get together some time in the near future.

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JOHN S. WARNER
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Attachment

cc: DCI
DDCI
DD/I
DD/P (Attn:)
Inspector General
Legislative Counsel Subject
Legislative Counsel Chrono.

OGC/LC:JSW:mks